

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 JEAN P. SIMON, M.D., : Civ. No.: 07-cv-11426 (SAS)
 Plaintiff, :
 -against- :
 :
 UNUM, UNUM PROVIDENT, PROVIDENT LIFE :
 AND CASUALTY INSURANCE COMPANY, THE: :
 PAUL REVERE LIFE INSURANCE COMPANY, :
 FIRST UNUM LIFE INSURANCE COMPANY, :
 PROVIDENT LIFE AND ACCIDENT :
 INSURANCE COMPANY AND :
 UNUMPROVIDENT CORPORATION, :
 :
 Defendants. :
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PLEASE TAKE NOTICE that upon the attached memorandum of law, defendants (collectively, the "Defendants") will move this Court, at the United States Courthouse, 500 Pearl Street, New York, New York, for an order, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, partially dismissing certain claims and certain defendants set forth in the Amended Complaint, in their entirety with prejudice, and for such other and further relief as the Court deems just and proper.

Dated: New York, New York
 April 16, 2008

WHITE AND WILLIAMS, LLP

By: /s/ Andrew Hamelsky
 Andrew Hamelsky

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